

List of Participants
Washington, D.C. -- February 8-9, 2005

ARIZONA

Lisa Muscarella
Son: Tanner



Flagstaff, AZ

During the delivery of Lisa Muscarella's son, Tanner, his shoulders repeatedly got caught on Lisa's pelvis. The doctor failed to take the appropriate actions that can lead to a safe and normal delivery. Instead, the doctor panicked and applied excessive traction, causing an injury in which the nerves and spinal cord were torn, resulting in his right arm going limp. Tanner is now permanently injured, goes through daily therapy, cannot turn his palm up, write or use his right arm for many other basic functions (and he is naturally supposed to be right-handed). The case was settled.

ARKANSAS

Betty Simpson
Monticello, AR

After suffering a stroke, Betty Simpson's mother, Gertrude Trotter, developed a bed sore on her heel which went untreated by her nursing home's doctor for over three months despite repeated requests by her family. By the time the physician looked at it, her leg had to be amputated. Gertrude ultimately died as result of the negligence in her care. The case was settled out of court.

CALIFORNIA

Michelle & Mark Geyer

Daughter: Jessie

Antioch, CA



Michelle and Mark's 7-year-old daughter Jessie died on Halloween night 2003 from a common bacterial infection, after a local hospital failed to take a blood culture that would have revealed the cause of her high fever and the extreme pain in one of her legs. After an exhaustive search for a lawyer who would take their case given California's caps, they are now awaiting trial.

Kathy & Scott Olsen

Son: Steven

Chula Vista, CA



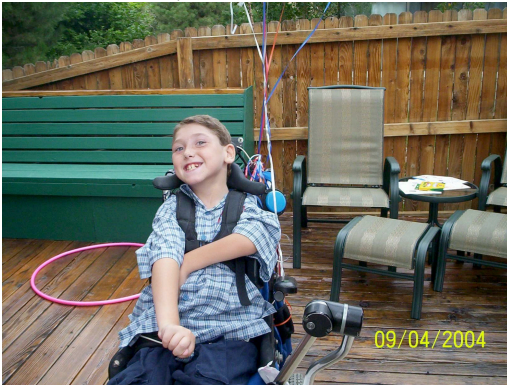
Kathy and Scott's son, 12-year-old Steven, is blind and brain-damaged after an HMO refused to give him an \$800 CAT scan when he was two years old. He had fallen on a stick in the woods while hiking. The jury awarded Steven \$7.1 million in non-economic compensation for his life of darkness, loneliness, pain, physical retardation and around-the-clock supervision. However, the judge was forced to reduce the amount to \$250,000 because of a law capping non-economic damages in the state.

COLORADO

Patty & David Skolnik Centennial, CO

Patty and David's son Michael underwent unnecessary brain surgery at the hands of a surgeon who, they later learned, was not qualified to diagnose or treat the illness for which he insisted Michael needed surgery. As a result of the unnecessary brain surgery, Michael was left in a state where he needed constant care. Michael eventually died from complications related to this unnecessary and botched brain surgery. The case is still pending.

Jennifer Tinsman Son: Kody Westminster, CO



Jennifer and her doctor had decided to have her third child delivered by c-section, as her previous two children were delivered (both were born heavier than average). Shortly before her due date, her doctor had to leave town and he referred her to another doctor who would continually pressure her to have the baby delivered vaginally. After constant pressure, she agreed to the doctor's proposal to attempt to deliver the baby vaginally.

The nurses were supposed to keep a close eye on Jennifer but neglected to do so. They finally realized something was wrong and called the doctor, who examined Jennifer and the fetal monitor strip, and called for an emergency c-section. But, the hospital failed to have sufficient staff on call so they could not do the needed emergency c-section and had to attempt a vaginal delivery. After the botched delivery, newborn Kody was clinically dead. He was resuscitated for 15 minutes before he showed signs of living. He now has cerebral palsy and his left arm does not function. He's had several surgeries, including reconstructive surgery on both hips, and had to train his brain to gain the ability to hear (to the surprise of those treating him). He needs therapy 4 times a week and gets ulcers from the medication he has to take. Wheelchair-bound Kody is now 8 years old. Jennifer has permanent pelvic injuries. Jennifer and Kody settled with the doctor and went to trial against the hospital and won, but the harsh caps in Colorado (\$1 million total, \$300,000 noneconomic) severely limits the compensation they can receive.

CONNECTICUT

Mary Deitman Trumbull, CT

In 1998, at the age of 36, Mary, a practicing nurse, found a small mass in her right breast during self-examination and was referred to a radiologist for a mammogram. The mammogram and a subsequent ultrasound were both misread, so that a suspicious lesion on Mary's breast went undiagnosed and

untreated. In 2000, after Mary noticed dimpling in her breast, advanced breast cancer was diagnosed and Mary underwent a mastectomy, but by then her cancer had spread to her lymph nodes. Her case was settled.

Fred Frank
Stratford, CT

Twenty years ago, Fred Frank contracted a virus that was subsequently misdiagnosed and mistreated, lapsing him into a coma for over two and a half months. Frank still suffers residual damage from his mistreatment, characterized by a difficulty speaking. He won his court case.

FLORIDA

Kim & Ryan Bliss
Daughter: Kendyll
Melbourne, FL



Kim and Ryan Bliss took their eight-month-old daughter, Kendyll, to a Florida emergency room because she was dehydrated from a cold. Unbeknownst to Kim and Ryan, the ER did not have any medical equipment on hand to treat an infant. The ER nurse tried unsuccessfully for two and a half hours to get an adult IV needle into Kendyll's body. After waiting yet another hour, the doctor arrived and used an adult IV to get into Kendyll's jugular vein. Once the port was inserted, the nurse had orders to let one bag of fluid drip for half an hour and then hook up a second bag and allow it to drip throughout the night. After the first bag was empty, the nurse came in to change the bag. The nurse first squeezed the bag several times. Kendyll screamed out and Kim and Ryan then watched as air bubbles traveled through the line that was inserted into their daughter's body. Kim and Ryan tried desperately to alert someone in the ER, but their pleas were ignored. Immediately, Kendyll turned blue.

Despite more pleas that something was terribly wrong with their child, the nurse did not try to resuscitate her or call anyone for help. Kendyll passed away due to an air embolism that went into her brain and caused her to go into cardiac arrest. Kim and Ryan settled their claims against the ER doctor and nurse.

Richard Leyda
Clearwater, FL

In 2001, Richard was misdiagnosed with a gall bladder problem. Despite Richard's continued complaints of extreme pain, even after following his doctor's suggested remedies, the doctor failed to do standard tests that would have revealed Richard's prostate cancer. When Richard was finally

diagnosed with cancer he was told it was so advanced it had become inoperable and incurable. A jury ruled in Richard's favor, awarding compensation for both economic and non-economic damages.

Regina Wagner
Sarasota, FL

In 2001, Regina's doctor failed to diagnose cancer despite her repeated office visits. At one point, her complaints of pain in her abdomen were blamed on an oversized purse. In November 2004, she was finally diagnosed as having stage IV colon cancer. Despite many operations and months of chemotherapy, her cancer has recurred and she is now scheduled for yet another operation. Had Regina's doctor ordered appropriate testing, the cancer would have been caught at stage II with a much better chance at a full recovery. Her case was settled.

Andrew Zuckerberg
Wellington, FL

In 1993, Andrew's mother Evelyn found a lump in her breast during a self-exam. Her doctor failed to diagnose the lump as breast cancer. The cancer progressed from stage I to stage IV before it was finally spotted six months after her first mammogram. Evelyn spent the next 10 years suffering through weekly chemotherapy. Despite the treatments, she passed away in 2003. The case was settled.

GEORGIA

Sherry Keller
Conyers, GA



Sherry became an incomplete quadriplegic after her gynecologist committed a series of egregious medical errors. Her doctor pulled on a wound, which oozed after a surgeon failed to suture her during a complete hysterectomy, causing her to be opened from hip to hip. She was then left alone for 30-40 minutes, went into shock, lost consciousness and fell off the examination table, banging her head and breaking her neck. Sherry's case is pending.

ILLINOIS

Donna D. Harnett

Son: Martin

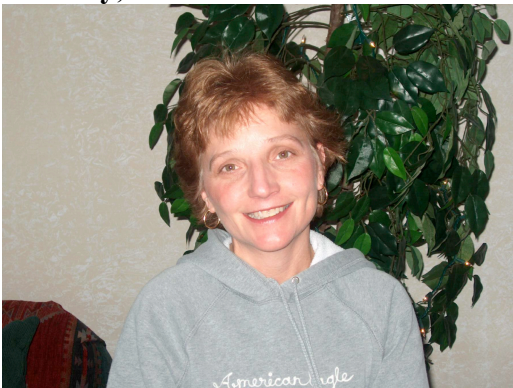
Chicago, IL



When Donna was in labor with her son, Martin, and went to the hospital (where she was not admitted until 5 hours after her arrival), she was put on pitocin to speed up her dilation and contractions. In an effort to further speed labor, the doctor broke her water, which was thick and green from meconium. Rather than consider a C-section, they continued the pitocin. After laboring an additional 6 hours or so, her son's fetal monitoring alarm started going off in succession. The doctor came and called for an emergency C-section, but then waited an hour. During the delay itself, they failed to give Donna oxygen or an IV, or to move her on her side. Upon delivery, her son was whisked away to the Intensive Care Unit, where he stayed for 3 weeks, initially on a respirator. He has substantial brain damage and cerebral palsy as a result of the failure to timely deliver. Several months later the doctor sent her to a reproductive geneticist (a friend of the doctor) who told her to never have anymore more children because they would all turn out the same due to a problem with her DNA. She had three more healthy sons. She later learned that this doctor had botched several deliveries prior to the birth of her son and several more since. Her case settled.

Georgiann Ursch

Godfrey, IL



When Georgiann was 37, she discovered a small lump in her right breast through self examination. A base line mamogram had not detected the lump. However her ob/gyn ordered a sonogram. After the sonogram, the doctor recommended she see a surgeon for a biopsy. The surgeon felt there was no need for the biopsy and doing so would be a waste of her time. The surgeon advised monitoring the lump for

3 more months. After the 3 months, Georgiann returned with a feeling the lump had changed. The surgeon did not agree and still refused to conduct a biopsy. Once again she said monitor it for 3 more months. Georgiann then decided to have a second mammogram done on her own to see if the lump would show some change. Once again, the lump did not show. However, the lab tech and the radiologist told her that this type of lump could not be diagnosed without a biopsy and urged her to demand a biopsy. If the surgeon would not do it, the radiologist recommended she find someone who would.

The surgeon, growing more annoyed, stated that if she conducted a biopsy for every lump a radiologist sent to her, she would be doing 20 surgeries a week and 95 percent of those would be unnecessary. Georgiann, however, demanded she do the biopsy. The surgeon was very upset with Georgiann but decided to do it to “please” her. The biopsy revealed cancer, and Georgiann felt it best to have another surgeon do the surgery, which showed a cancerous Stage II lump that had invaded several of her lymph nodes. She had a mastectomy and 9 months of chemotherapy. Her case settled.

LOUISIANA

Cyndi Duplechain

Mamou, LA

In August 2003, Cyndi gave birth to twin boys, C.J. and A.J. C.J. needed to go in for tests for acid reflux at the age of 4 months, and was to have a scope in his stomach to look around and see what the problem was. It was supposed to be a routine procedure, but instead, a hole was punctured in his esophagus. He went into cardiac arrest and was clinically dead for 20 minutes. He was resuscitated, but now has cerebral palsy and is fed through a feeding tube, wheelchair-bound and legally blind. Her case is pending.

MARYLAND

Deborah Gillham

Gaithersburg, MD

Deborah was supposed to have a routine laparoscopic procedure to look for a cyst on her left ovary. During the procedure, the physician punctured her colon. The puncture was not discovered for 24 hours. When it was discovered, Deborah had to undergo emergency surgery to repair the puncture. She spent almost a month in the hospital recovering due to the severity of the infection caused by the waste that spilled into her abdominal cavity. Over the next 26 months she underwent three more surgeries to correct the problems that resulted. She later found out that she was not the first victim of this doctor. Her case is pending.

MASSACHUSETTS

John McCormack
Daughter: Taylor
Pembroke, MA



John's 13-month-old daughter, Taylor, died while awaiting surgery to repair a malfunctioning shunt in her skull, which had been implanted at birth to drain fluid. Test results showing abnormal carbon dioxide levels in her blood went unnoted in her chart, and the attending physician slept through repeated pages because his beeper was set to vibrate and didn't wake him, leaving two neurosurgery residents in charge of her care. The case was settled.

MICHIGAN

Evelyn Plunkett
Lansing, MI

In 2001 Evelyn Plunkett's husband, Dickie Irvin, who was 52 at the time, was prescribed Vioxx for mild back pain. A very active man who had played college football, he had never had medical problems, but a month after he began taking the drug he died of a heart attack. Their case is still pending.

MINNESOTA

Amy Kyllonen
Prior Lake, MN

Amy's husband, 37-year-old Edward, died in November 2001 from a morphine overdose following hip replacement surgery. Amy was three months pregnant at the time. Nurses had repeatedly administered morphine and other pain killers through an intravenous drip without documenting why or whether Ed's condition was being properly monitored. The hospital told Amy that Ed had died from a blood clot. It wasn't until she sought an investigation by Minnesota's health department that Amy learned the true cause of her husband's death. The case was settled.

NEBRASKA

Lisa & Michael Gourley
Son: Colin
Valley, NE



Lisa and Michael's eleven-year-old son, Colin, suffered terrible complications at birth as a result of a doctor's negligence. He has cerebral palsy. He cannot walk. He could not speak until he was five. Irregular brain waves and the amount of time he has spent in a wheelchair have affected his bone growth. He has been through five surgeries and needs to sleep in a cast every night to prevent further orthopedic problems. His twin brother, Connor, survived without injury.

A jury ruled that Colin was a victim of medical negligence, finding that \$5.625 million was needed to compensate him for his medical care and a lifetime of suffering. The Nebraska law – a cap on damages – severely cut this jury verdict to one quarter of what Colin will need. As a result, Colin will have to rely on the state for assistance for the rest of his life. His family had to move from their home to pay for his care. Colin's mother Lisa says, "Nebraska's cap on damages, enacted at the behest of the insurance industry, has been devastating to our family. My husband and I worry constantly about Colin's future and how our family of six will make ends meet."

Kristine McCown
Fairbury, NE

Kristine was 25-years-old in 1998 when she suffered her first stroke after having taken Vioxx. She continued to take the medication and suffered another stroke. Kristine has since had to relearn how to talk, walk and perform all daily activities. Kristine's doctor was the one who suggested she sue Merck. Her case is pending.

NEVADA

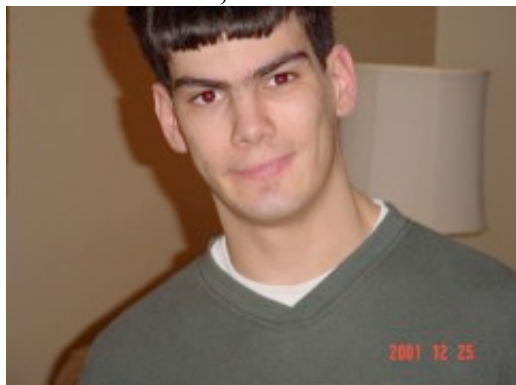
Dianne Meyer
Las Vegas, NV

In November 2000, Dianne went to the hospital complaining of pain, which was diagnosed as kidney stones. The hospital sent her home with pain medication and an assurance that she would pass the kidney stones. She kept getting sicker. After she'd gone home, the hospital apparently reread the x-rays and tests and discovered she had a large kidney stone that her body could not pass and that her body was going septic-that is, being poisoned from within. When doctors discovered this, nobody at the hospital bothered to call her. A day and a half later she returned to the hospital. They checked her in

and that's the last she remembers. She woke up a month and a half later with both her legs amputated below the knee. Her body had shut down, she had gone into a coma, and her family had to make the difficult decision to allow her legs to be amputated to save her life. She settled with one of the doctors, and the case against the hospital is still pending.

NEW JERSEY

Justin Mattes Woodcliff Lake, NJ



25-year-old Justin Mattes suffers from cerebral palsy after his mother's obstetrician failed to get basic information about the baby's position and allowed a vaginal delivery to go forward with the baby in a breech position (i.e. feet first) without taking steps to protect the baby's health. This caused Justin's umbilical cord to be compressed, preventing him from getting oxygen. He was born blue and had to be resuscitated; he also had seizures the following day. As a result, Justin has had difficulty walking, talking, eating and getting dressed. His parents did not file a lawsuit at the time Justin was born. He filed a lawsuit once becoming an adult and settled the case before trial for the doctor's policy limit of \$500,000. (This limit, based on the 1978 economy, is worth about \$100,000 in today's dollars.)

Justin says, "I am a victim of medical malpractice. I have cerebral palsy because my mother's obstetrician committed medical malpractice in the way he handled my mother's delivery when I was born. A \$250,000 cap on noneconomic damages would take away the only opportunity a person like me, who has suffered a permanent disability because of a doctor's medical malpractice, has to live with some amount of independence and to enjoy some of the normal dignities of life. A \$250,000 cap on pain and suffering damages if applied to my case would not even begin to compensate me for the daily pain and suffering I have already experienced in my life, much less what I will continue to experience. For example, I had terrible trouble at school, especially with teasing. My mom had to fight to keep me in regular classes. I have had people say that I am retarded just because my speech sounds funny. A disability like mine causes a lot of emotional damage."

NEW YORK

Robert Bennett Staten Island, NY

Robert's wife Frances discovered a lump in her breast during a self-exam in 1997. Her doctor misdiagnosed the lump as a benign fibrocyst and sent her for a mammogram. The mammogram was misread and she was again given the same diagnosis. Another surgeon noticed the error three weeks later. It was later discovered that a mammogram from 2 years earlier had also indicated cancer. Frances

tried every kind of treatment available but the cancer spread and she passed away in 2003. Her case settled.

Amy DiAngelis
Amherst, NY

Amy gave birth to her son David in 1996. During the delivery, problems with the baby went undetected, including repeated drops in the baby's heart rate. David suffered severe and permanent brain damage. David is now eight years old and is totally dependent on the full-time care of his mother and his nurses – he cannot walk, talk or eat by himself. Part of the case settled and part is pending.

Andrea Halkias
Astoria, NY

In October 1994, Andrea began to experience cold symptoms. When symptoms persisted for over two months, she was told she had chronic sinusitis and given antibiotics. She was treated for this condition for five months. In April of 1995, Andrea lost her sense of smell and underwent a series of tests and still was incorrectly diagnosed. In September 1995, she had another biopsy which came back as vasculitis (inflammation of the arteries) and was started on other medication which masked her symptoms. She had strongly requested her biopsy results be sent to the Mayo Clinic for review but the physician did not send them. In three months, the symptoms returned, together with swelling of her face, an eye that looked like an “onion bulb,” and a swollen and disfigured nose. Andrea again insisted that her biopsy slides be sent to Mayo Clinic. The doctor finally did as she requested and the Mayo Clinic found, in January of 1996, that she had a type of T-Cell Lymphoma. The Mayo Clinic referred her to a new physician at Sloan-Kettering who told Andrea that she had two weeks to live unless she agreed to 5400 rads of radiation treatment. Six weeks of treatment with such high levels of radiation caused blindness in one eye in a few months and both eyes within two years. At the time of her September 1995 biopsy, had the results been correctly read, she would have retained her eyesight because the cancer had not yet spread to her eyes and her eyes would have been shielded from the radiation. In July 2002, her left eye was removed and replaced with a glass eye; she has impaired hearing; no sense of smell or taste and cannot feel the left side of her face. Because of the amount of radiation she received, she remains at risk of developing cancer. Her case was settled.

Leslie Lewis
New York, NY

In 1985, Leslie gave birth prematurely to twins Miles and Christian by emergency C-section. While in the neonatal ICU and nursery, Miles was given eight transfusions of blood products without the parent's knowledge and against their explicit instructions. One of the transfusions was contaminated with the HIV virus. Miles was soon diagnosed with AIDS. He lived for just five years and died the same day as Ryan White, April 8, 2000 after a six-month hospitalization.

Chris also developed complications after the traumatic birth. The hospital's ophthalmologist diagnosed Chris with a condition that usually causes bilateral blindness. The doctor failed to follow up and ensure treatment and did not inform Leslie and her husband of the problem. By the time it was discovered by outside doctors, his left eye was lost and he had very limited vision remaining in his right eye. He had emergency surgery at three months of age to save the left eye, but the damage was already so extensive that it was a complete failure. Chris is now legally blind. Their case settled.

Eric Strezenec
Merrick, NY

Eric was misdiagnosed by a well known pathologist, who failed to realize that he was suffering from bone cancer. Because of the delay in diagnosis, Eric had to have a high amputation of his hip. A timely diagnosis would have saved his limb. His case was settled.

Camille Teichman
Seaford, NY

Camille was in the last month of her pregnancy with her third child when she was involved in an automobile accident in 1986. She was brought to the hospital with a head injury but was not examined by an OB/GYN for two hours. The OB then claimed that there was no evidence of any complications and left the hospital. Hours later a delivery room nurse came down and observed “trouble” on a fetal monitor. The OB was called and an emergency Cesarean section was done. Camille’s daughter, Michelle, was severely depressed in the nursery and there was evidence of bleeding in her brain. Michelle required intensive care and today she has severe permanent cerebral palsy. Her case settled, but it has been extremely difficult for the family to collect any compensation, forcing Michelle onto government assistance.

OHIO

Steve & Karen Swain
Daughter: Kerri
Gahanna, OH



In December of 2002, Steve and Karen’s daughter, Kerri, was home on Christmas break from Ohio University when she began to develop symptoms of Guillain Barre Syndrome, a temporary condition that causes paralysis which starts in the extremities and can affect the muscles used to inhale and exhale. While awaiting recovery at the rehab unit of Ohio State’s hospital, she began to have serious difficulty breathing. The doctor in charge of her care ignored her complaints and refused to move her back to the main hospital, declaring Kerri “a psyche case.” Kerri finally suffered from lack of oxygen to the brain and was severely and permanently brain damaged. Her case is pending.

OREGON

Theresa Booth
Son: Michael
Pendleton, OR



Theresa's son, Michael, was delivered 2 months premature by a doctor who admitted in a deposition that he did not read the ultrasound that he had ordered. Michael was born at 4lbs and 3 oz. and has cerebral palsy. Michael is now 12 years old and is confined to a walker. He has had 35 medical procedures done already, and will need several more before the age of 21. His case settled an hour before the case went to trial.

Mark Unger
Eagle Point, OR

Mark's mother, Patricia, was diagnosed with Burkitt's lymphoma in early 2001. She sought treatment in the hospital where she had worked for 20 years. While there, she was injected with 1000 times more methotrexate than the appropriate dosage, by a doctor who did not follow protocol. The overdose led to severe internal and external burns that caused her mouth to swell painfully, her skin to slough off, and her face and scalp to swell; the drug was burning through her organs. She was evacuated to a burn center but died less than two weeks after her treatment with her family at her side. The family settled out of court with the hospital, where Patricia herself had worked for 20 years.

PENNSYLVANIA

Kevin Veneski
Bushkill, PA

Two weeks after open-heart surgery, Kevin suffered from a stroke caused by a blood clot entering his brain. Kevin had been given a blood-thinning drug without sufficient monitoring and then also given a painkiller that reacted with the blood thinner, further reducing the levels of the vital medication. Kevin spent 8 months in a wheelchair unable to walk. His condition has improved but he still has trouble with balance and needs a cane to walk. He was never able to go back to work. Kevin also suffers from impotence and depression. His case settled.

SOUTH CAROLINA

Helen Haskell

Son: Lewis Wardlaw Blackman

Columbia, SC



Helen's son, 15-year-old Lewis Wardlaw Blackman, died four days after undergoing surgery in South Carolina to correct a crease in his chest cavity that he had been born with. Nurses and inexperienced residents failed to recognize he was having a fatal set of reactions to a powerful painkiller that had been administered after surgery, never calling for an experienced doctor when the child wasn't producing urine, his temperature dropped, skin grew pale, belly became distended and he suffered unspeakable pain. Given his symptoms, an experienced doctor would have known to order a routine \$30 blood test, which would have shown that the child was bleeding internally. Lewis' family settled out of court with the hospital for \$950,000. The money will go toward scholarships and patient safety initiatives in South Carolina. (Note: A newspaper investigation inspired by Lewis' case resulted in the banning of secret settlements in South Carolina federal courts. The South Carolina Supreme Court has requested a similar ban in state courts, which is now being considered by the state legislature.)

Don & Shannon Hughes

Son: Tyler Roscoe

Florence, SC



Shannon Hughes, Tyler Roscoe's mother, was having a long and difficult labor. The doctor was called repeatedly and finally showed up at her 35th hour of labor. At 37 hours, the doctor performed an emergency C-section. The umbilical cord was twice wrapped around the child's neck. Tyler suffered cardiac arrest for 18 minutes. As a result, Tyler, who is now seven years old, is severely brain-damaged and bedridden. He must be turned every two hours, is fed through a tube, suffers seizures

daily and is non-communicative. The family settled for a confidential sum. Shannon says, "I will never hear my child call me mom or tell me he loves me or even a hug. I only know my child is content and not suffering when he is asleep or lying in bed not crying. All I can do is pray that when I wake up in the mornings that he is still breathing and I can caress his head and tell him good morning. My son has no future but pain and suffering. No politician in Washington, D.C. has the right to decide what is proper compensation for him."

TENNESSEE

Earlene Burney Clarksville, TN

Earlene's mother, Annie Owen, died from negligent nursing home care. Within a three-week period, she developed severe bedsores, multiple infections and swollen hands and suffered from malnutrition, dehydration and bowel impaction, requiring hospitalization. Her case was settled.

Monty Huggins Knoxville, TN

Monty Huggins' 39-year-old wife Janet, was prescribed Vioxx due to Rheumatoid Arthritis. About 4 weeks later, in September of 2004, she died from a heart attack. She was healthy and lived an active lifestyle, but an autopsy showed that the heart attack was caused by a blot clot in her left artery. The case is pending.

UTAH

Rebecca & Kevin Brailsford Highland, UT

Becky gave birth to twin boys 27-weeks into her pregnancy due to errors in her prenatal care. After enduring an emergency C-section without the aid of an anesthetic, Becky learned that both her sons suffered brain injuries and that one of them, Kurt, would suffer from cerebral palsy. Kurt, who is now 11, has already undergone 72 surgeries in his young life. The case was settled.

Myrleen Kelly Husband: Michael Orem, UT



58-year-old Michael L. Kelly, a highly-decorated Vietnam War veteran, died from a stroke after the on-call doctor at a newly-opened area hospital arrived for his shift eight hours late. Kelly's widow, Myrleen, sued and the case settled out of court for a confidential amount.

LaRee Miller
Salt Lake City, UT



Orville and Ora Mae Swain, parents of Laree Miller, were married for 54 years. Both died after Orville received AIDS-contaminated blood during a heart bypass operation in Utah. Despite knowing about the infected donor and virus-carrying blood, the blood bank never told the Swains, causing Orville to unknowingly pass AIDS on to his wife. For the next two years, the couple's health deteriorated without explanation. The Swains' family filed suit against the blood bank, claiming it failed to follow recommended standards in screening its donors and testing blood. After a six-year lawsuit, the parties settled in November 1993, one week before the case was to go to trial

WASHINGTON

Dylan Malone
Son: Ian
Everett, WA



Dylan's son Ian suffered severe brain damage at birth after a doctor used a drug to induce labor that the manufacturer explicitly warned should not be used for that purpose. Before Ian died from his injuries in 2004, at age four, Ian could not hold his head up, suck, swallow or gag properly and required 16 hours of nursing care per day. He ate through a feeding tube in his abdomen, breathed with a ventilator, took medication daily to prevent seizures and needed a sedative to sleep. The family sued the doctor, who already had a number of medical malpractice cases filed against him. The Malones' case is still pending. Ian's father Dylan says, "If you want to lower the cost of medical malpractice insurance, lower the incidence of malpractice. My son was injured by a doctor who has hurt others

before, and others since, and he continues to practice. A small fraction of doctors cause the lion's share of injuries; address that and you make healthcare safer and more affordable in one stroke."

WEST VIRGINIA

Jay Hollyfield Jr. Charleston, WV

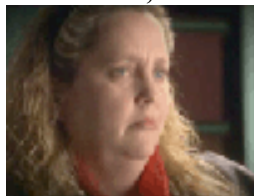
Jay Hollyfield Jr. suffered a series of mini-strokes and developed blood clots in his chest as a result of his having taken Vioxx for the treatment of acute fibromyalgia. He has had to undergo a 4-way multiple bypass surgery as a result of the blood clots and has suffered substantial brain damage as a result of his strokes. His case is pending.

Elaine Leslie Charleston, WV

After taking Vioxx over a twelve month period from 1999-2000, Elaine Leslie, an active and healthy woman who had worked as a physician's assistant for 23 years, was diagnosed with congestive heart failure, when two blood clots were discovered in her left ventricle. While she continued to take Vioxx, Elaine suffered two strokes, resulting in the loss in use of the right side of her face and arm and severe memory loss. She has since had to relearn how to talk and write. Elaine has also been in and out of the hospital seven times over the past year due to her persistent heart troubles. She recently had an Implantable Cardioverter-defibrillator (C.I.D.) installed in her chest to stabilize her heart. Her case is pending.

WISCONSIN

Linda McDougal Woodville, WI



46-year-old Linda McDougal received an unnecessary double mastectomy after being mistakenly told she had cancer. Two doctors and a technician had mixed up her test results with another woman, who was falsely told she was cancer-free. McDougal has had ongoing infections and has undergone one emergency surgery as a result of the unneeded mastectomies. Her case was settled.